

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. _____
OFFERED BY MS. DEAN OF PENNSYLVANIA

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Public and Federally
3 Assisted Housing Fire Safety Act of 2022”.

4 SEC. 2. SMOKE ALARMS IN FEDERALLY ASSISTED HOUSING.

5 (a) PUBLIC HOUSING, TENANT-BASED ASSISTANCE,
6 AND PROJECT-BASED ASSISTANCE.—The United States
7 Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amend-
8 ed—

9 (1) in section 3(a) (42 U.S.C. 1437a(a)), by
10 adding at the end the following:

11 “(9) QUALIFYING SMOKE ALARMS.—

12 “(A) IN GENERAL.—Each public housing
13 agency shall ensure that a qualifying smoke
14 alarm is installed in accordance with applicable
15 codes and standards published by the Inter-
16 national Code Council or the National Fire Pro-
17 tection Association and the requirements of the
18 National Fire Protection Association Standard

1 72 or any successor standard in each level and
2 in or near each sleeping area in any dwelling
3 unit in public housing owned or operated by the
4 public housing agency, including in basements
5 but excepting crawl spaces and unfinished at-
6 tics, and in each common area in a project con-
7 taining such a dwelling unit.

8 “(B) DEFINITIONS.—For purposes of this
9 paragraph, the following definitions shall apply:

10 “(i) SMOKE ALARM DEFINED.—The
11 term ‘smoke alarm’ has the meaning given
12 ‘smoke detector’ in section 29(d) of the
13 Federal Fire Prevention and Control Act
14 of 1974 (15 U.S.C. 2225(d)).

15 “(ii) QUALIFYING SMOKE ALARM DE-
16 FINED.—The term ‘qualifying smoke
17 alarm’ means a smoke alarm that—

18 “(I) in the case of a dwelling unit
19 built before the date of the enactment
20 of this paragraph and not substan-
21 tially rehabilitated after the date of
22 this paragraph is—

23 “(aa) hardwired; or

1 “(bb) uses 10-year non re-
2 chargeable, nonreplaceable pri-
3 mary batteries and—

4 “(AA) is sealed;

5 “(BB) is tamper resist-
6 ant;

7 “(CC) contains silenc-
8 ing means; and

9 “(DD) provides notifi-
10 cation for persons with hear-
11 ing loss as required by the
12 National Fire Protection As-
13 sociation Standard 72 or
14 any successor standard; or

15 “(II) in the case of a dwelling
16 unit built or substantially rehabili-
17 tated after the date of the enactment
18 of this paragraph, is hardwired.”; and

19 (2) in section 8 (42 U.S.C. 1437f)—

20 (A) by inserting after subsection (k) the
21 following:

22 “(l) QUALIFYING SMOKE ALARMS.—

23 “(1) IN GENERAL.—Each owner of a dwelling
24 unit receiving project-based assistance under this
25 section shall ensure that qualifying smoke alarms

1 are installed in accordance with applicable codes and
2 standards published by the International Code Coun-
3 cil or the National Fire Protection Association and
4 the requirements of the National Fire Protection As-
5 sociation Standard 72 or any successor standard in
6 each level and in or near each sleeping area in such
7 dwelling unit, including in basements but excepting
8 crawl spaces and unfinished attics, and in each com-
9 mon area in a project containing such a dwelling
10 unit.

11 “(2) DEFINITIONS.—For purposes of this sub-
12 section, the following definitions shall apply:

13 “(A) SMOKE ALARM DEFINED.—The term
14 ‘smoke alarm’ has the meaning given ‘smoke
15 detector’ in section 29(d) of the Federal Fire
16 Prevention and Control Act of 1974 (15 U.S.C.
17 2225(d)).

18 “(B) QUALIFYING SMOKE ALARM DE-
19 FINED.—The term ‘qualifying smoke alarm’
20 means a smoke alarm that—

21 “(i) in the case of a dwelling unit
22 built before the date of the enactment of
23 this paragraph and not substantially reha-
24 bilitated after the date of this paragraph
25 is—

1 “(I) hardwired; or

2 “(II) uses 10-year non recharge-
3 able, nonreplaceable primary batteries
4 and—

5 “(aa) is sealed;

6 “(bb) is tamper resistant;

7 “(cc) contains silencing
8 means; and

9 “(dd) provides notification
10 for persons with hearing loss as
11 required by the National Fire
12 Protection Association Standard
13 72 or any successor standard; or

14 “(ii) in the case of a dwelling unit
15 built or substantially rehabilitated after the
16 date of the enactment of this paragraph, is
17 hardwired.”; and

18 (B) in subsection (o), by adding at the end
19 the following:

20 “(22) QUALIFYING SMOKE ALARMS.—

21 “(A) IN GENERAL.—Each dwelling unit re-
22 ceiving tenant-based assistance or project-based
23 assistance under this subsection shall have a
24 qualifying smoke alarm installed in accordance
25 with applicable codes and standards published

1 by the International Code Council or the Na-
2 tional Fire Protection Association and the re-
3 quirements of the National Fire Protection As-
4 sociation Standard 72 or any successor stand-
5 ard in each level and in or near each sleeping
6 area in such dwelling unit, including in base-
7 ments but excepting crawl spaces and unfin-
8 ished attics, and in each common area in a
9 project containing such a dwelling unit.

10 “(B) DEFINITIONS.—For purposes of this
11 paragraph, the following definitions shall apply:

12 “(i) SMOKE ALARM DEFINED.—The
13 term ‘smoke alarm’ has the meaning given
14 ‘smoke detector’ in section 29(d) of the
15 Federal Fire Prevention and Control Act
16 of 1974 (15 U.S.C. 2225(d)).

17 “(ii) QUALIFYING SMOKE ALARM DE-
18 FINED.—The term ‘qualifying smoke
19 alarm’ means a smoke alarm that—

20 “(I) in the case of a dwelling unit
21 built before the date of the enactment
22 of this paragraph and not substan-
23 tially rehabilitated after the date of
24 this paragraph is—

25 “(aa) hardwired; or

1 “(bb) uses 10-year non re-
2 chargeable, nonreplaceable pri-
3 mary batteries and—

4 “(AA) is sealed;

5 “(BB) is tamper resist-
6 ant;

7 “(CC) contains silenc-
8 ing means; and

9 “(DD) provides notifi-
10 cation for persons with hear-
11 ing loss as required by the
12 National Fire Protection As-
13 sociation Standard 72 or
14 any successor standard; or

15 “(II) in the case of a dwelling
16 unit built or substantially rehabili-
17 tated after the date of the enactment
18 of this paragraph, is hardwired.”.

19 (b) SUPPORTIVE HOUSING FOR THE ELDERLY.—
20 Section 202(j) of the Housing Act of 1959 (12 U.S.C.
21 1701q(j)) is amended by adding at the end the following:

22 “(10) QUALIFYING SMOKE ALARMS.—

23 “(A) IN GENERAL.—Each owner of a
24 dwelling unit assisted under this section shall
25 ensure that qualifying smoke alarms are in-

1 stalled in accordance with the requirements of
2 applicable codes and standards and the Na-
3 tional Fire Protection Association Standard 72
4 or any successor standard in each level and in
5 or near each sleeping area in such dwelling
6 unit, including in basements but excepting
7 crawl spaces and unfinished attics, and in each
8 common area in a project containing such a
9 dwelling unit.

10 “(B) DEFINITIONS.—For purposes of this
11 paragraph, the following definitions shall apply:

12 “(i) SMOKE ALARM DEFINED.—The
13 term ‘smoke alarm’ has the meaning given
14 ‘smoke detector’ in section 29(d) of the
15 Federal Fire Prevention and Control Act
16 of 1974 (15 U.S.C. 2225(d)).

17 “(ii) QUALIFYING SMOKE ALARM DE-
18 FINED.—The term ‘qualifying smoke
19 alarm’ means a smoke alarm that—

20 “(I) in the case of a dwelling unit
21 built before the date of the enactment
22 of this paragraph and not substan-
23 tially rehabilitated after the date of
24 this paragraph is—

25 “(aa) hardwired; or

1 “(bb) uses 10-year non re-
2 chargeable, nonreplaceable pri-
3 mary batteries and—

4 “(AA) is sealed;

5 “(BB) is tamper resist-
6 ant;

7 “(CC) contains silenc-
8 ing means; and

9 “(DD) provides notifi-
10 cation for persons with hear-
11 ing loss as required by the
12 National Fire Protection As-
13 sociation Standard 72 or
14 any successor standard; or

15 “(II) in the case of a dwelling
16 unit built or substantially rehabili-
17 tated after the date of the enactment
18 of this paragraph, is hardwired.”.

19 (c) SUPPORTIVE HOUSING FOR PERSONS WITH DIS-
20 ABILITIES.—Section 811(j) of the Cranston-Gonzalez Na-
21 tional Affordable Housing Act (42 U.S.C. 8013(j)) is
22 amended by adding at the end the following:

23 “(8) QUALIFYING SMOKE ALARMS.—

24 “(A) IN GENERAL.—Each dwelling unit as-
25 sisted under this section shall contain qualifying

1 smoke alarms that are installed in accordance
2 with applicable codes and standards published
3 by the International Code Council or the Na-
4 tional Fire Protection Association and the re-
5 quirements of the National Fire Protection As-
6 sociation Standard 72 or any successor stand-
7 ard in each level and in or near each sleeping
8 area in such dwelling unit, including in base-
9 ments but excepting crawl spaces and unfin-
10 ished attics, and in each common area in a
11 project containing such a dwelling unit.

12 “(B) DEFINITIONS.—For purposes of this
13 paragraph, the following definitions shall apply:

14 “(i) SMOKE ALARM DEFINED.—The
15 term ‘smoke alarm’ has the meaning given
16 ‘smoke detector’ in section 29(d) of the
17 Federal Fire Prevention and Control Act
18 of 1974 (15 U.S.C. 2225(d)).

19 “(ii) QUALIFYING SMOKE ALARM DE-
20 FINED.—The term ‘qualifying smoke
21 alarm’ means a smoke alarm that—

22 “(I) in the case of a dwelling unit
23 built before the date of the enactment
24 of this paragraph and not substan-

1 tially rehabilitated after the date of
2 this paragraph is—

3 “(aa) hardwired; or

4 “(bb) uses 10-year non re-
5 chargeable, nonreplaceable pri-
6 mary batteries and—

7 “(AA) is sealed;

8 “(BB) is tamper resist-
9 ant;

10 “(CC) contains silenc-
11 ing means; and

12 “(DD) provides notifi-
13 cation for persons with hear-
14 ing loss as required by the
15 National Fire Protection As-
16 sociation Standard 72 or
17 any successor standard; or

18 “(II) in the case of a dwelling
19 unit built or substantially rehabili-
20 tated after the date of the enactment
21 of this paragraph, is hardwired.”.

22 (d) HOUSING OPPORTUNITIES FOR PERSONS WITH
23 AIDS.—Section 856 of the Cranston-Gonzalez National
24 Affordable Housing Act (42 U.S.C. 12905) is amended by
25 adding at the end the following new subsection:

1 “(i) QUALIFYING SMOKE ALARMS.—

2 “(1) IN GENERAL.—Each dwelling unit assisted
3 under this subtitle shall contain qualifying smoke
4 alarms that are installed in accordance with applica-
5 ble codes and standards published by the Inter-
6 national Code Council or the National Fire Protec-
7 tion Association and the requirements of the Na-
8 tional Fire Protection Association Standard 72 or
9 any successor standard in each level and in or near
10 each sleeping area in such dwelling unit, including in
11 basements but excepting crawl spaces and unfinished
12 attics, and in each common area in a project con-
13 taining such a dwelling unit.

14 “(2) DEFINITIONS.—For purposes of this sub-
15 section, the following definitions shall apply:

16 “(A) SMOKE ALARM DEFINED.—The term
17 ‘smoke alarm’ has the meaning given ‘smoke
18 detector’ in section 29(d) of the Federal Fire
19 Prevention and Control Act of 1974 (15 U.S.C.
20 2225(d)).

21 “(B) QUALIFYING SMOKE ALARM DE-
22 FINED.—The term ‘qualifying smoke alarm’
23 means a smoke alarm that—

24 “(i) in the case of a dwelling unit
25 built before the date of the enactment of

1 this paragraph and not substantially reha-
2 bilitated after the date of this paragraph
3 is—

4 “(I) hardwired; or

5 “(II) uses 10-year non recharge-
6 able, nonreplaceable primary batteries
7 and—

8 “(aa) is sealed;

9 “(bb) is tamper resistant;

10 “(cc) contains silencing
11 means; and

12 “(dd) provides notification
13 for persons with hearing loss as
14 required by the National Fire
15 Protection Association Standard
16 72 or any successor standard; or

17 “(ii) in the case of a dwelling unit
18 built or substantially rehabilitated after the
19 date of the enactment of this paragraph, is
20 hardwired.”.

21 (e) RURAL HOUSING.—Title V of the Housing Act
22 of 1949 (42 U.S.C. 1471 et seq.) is amended—

23 (1) in section 514 (42 U.S.C. 1484), by adding
24 at the end the following:

25 “(j) QUALIFYING SMOKE ALARMS.—

1 “(1) IN GENERAL.—Housing and related facili-
2 ties constructed with loans under this section shall
3 contain qualifying smoke alarms that are installed in
4 accordance with applicable codes and standards pub-
5 lished by the International Code Council or the Na-
6 tional Fire Protection Association and the require-
7 ments of the National Fire Protection Association
8 Standard 72 or any successor standard in each level
9 and in or near each sleeping area in such dwelling
10 unit, including in basements but excepting crawl
11 spaces and unfinished attics, and in each common
12 area in a project containing such a dwelling unit.

13 “(2) DEFINITIONS.—For purposes of this sub-
14 section, the following definitions shall apply:

15 “(A) SMOKE ALARM DEFINED.—The term
16 ‘smoke alarm’ has the meaning given ‘smoke
17 detector’ in section 29(d) of the Federal Fire
18 Prevention and Control Act of 1974 (15 U.S.C.
19 2225(d)).

20 “(B) QUALIFYING SMOKE ALARM DE-
21 FINED.—The term ‘qualifying smoke alarm’
22 means a smoke alarm that—

23 “(i) in the case of a dwelling unit
24 built before the date of the enactment of
25 this paragraph and not substantially reha-

1 bilitated after the date of this paragraph
2 is—

3 “(I) hardwired; or

4 “(II) uses 10-year non recharge-
5 able, nonreplaceable primary batteries
6 and—

7 “(aa) is sealed;

8 “(bb) is tamper resistant;

9 “(cc) contains silencing
10 means; and

11 “(dd) provides notification
12 for persons with hearing loss as
13 required by the National Fire
14 Protection Association Standard
15 72 or any successor standard; or

16 “(ii) in the case of a dwelling unit
17 built or substantially rehabilitated after the
18 date of the enactment of this paragraph, is
19 hardwired.”; and

20 (2) in section 515(m) (42 U.S.C. 1485(m)) by
21 adding at the end the following:

22 “(3) QUALIFYING SMOKE ALARMS.—

23 “(A) IN GENERAL.—Housing and related
24 facilities rehabilitated or repaired with amounts
25 received under a loan made or insured under

1 this section shall contain qualifying smoke
2 alarms that are installed in accordance with ap-
3 plicable codes and standards published by the
4 International Code Council or the National Fire
5 Protection Association and the requirements of
6 the National Fire Protection Association Stand-
7 ard 72 or any successor standard in each level
8 and in or near each sleeping area in such dwell-
9 ing unit, including in basements but excepting
10 crawl spaces and unfinished attics, and in each
11 common area in a project containing such a
12 dwelling unit.

13 “(B) DEFINITIONS.—For purposes of this
14 paragraph, the following definitions shall apply:

15 “(i) SMOKE ALARM DEFINED.—The
16 term ‘smoke alarm’ has the meaning given
17 ‘smoke detector’ in section 29(d) of the
18 Federal Fire Prevention and Control Act
19 of 1974 (15 U.S.C. 2225(d)).

20 “(ii) QUALIFYING SMOKE ALARM DE-
21 FINED.—The term ‘qualifying smoke
22 alarm’ means a smoke alarm that—

23 “(I) in the case of a dwelling unit
24 built before the date of the enactment
25 of this paragraph and not substan-

1 tially rehabilitated after the date of
2 this paragraph is—

3 “(aa) hardwired; or

4 “(bb) uses 10-year non re-
5 chargeable, nonreplaceable pri-
6 mary batteries and—

7 “(AA) is sealed;

8 “(BB) is tamper resist-
9 ant;

10 “(CC) contains silenc-
11 ing means; and

12 “(DD) provides notifi-
13 cation for persons with hear-
14 ing loss as required by the
15 National Fire Protection As-
16 sociation Standard 72 or
17 any successor standard; or

18 “(II) in the case of a dwelling
19 unit built or substantially rehabili-
20 tated after the date of the enactment
21 of this paragraph, is hardwired.”.

22 (f) FARM LABOR HOUSING DIRECT LOANS &
23 GRANTS.—Section 516 of the Housing Act of 1949 (42
24 U.S.C. 1486) is amended—

25 (1) in subsection (c)—

1 (A) in paragraph (2), by striking “and” at
2 the end;

3 (B) in paragraph (3), by striking the pe-
4 riod at the end and inserting “; and”; and

5 (C) by adding at the end the following:

6 “(4) that such housing shall contain qualifying
7 smoke alarms that are installed in accordance with
8 applicable codes and standards published by the
9 International Code Council or the National Fire
10 Protection Association and the requirements of the
11 National Fire Protection Association Standard 72 or
12 any successor standard in each level and in or near
13 each sleeping area in such dwelling unit, including in
14 basements but excepting crawl spaces and unfinished
15 attics, and in each common area in a project con-
16 taining such a dwelling unit.”; and

17 (2) in subsection (g)—

18 (A) in paragraph (3) by striking “and” at
19 the end;

20 (B) in paragraph (4), by striking the pe-
21 riod at the end and inserting a semicolon; and

22 (C) by adding at the end the following:

23 “(4) the term ‘smoke alarm’ has the meaning
24 given ‘smoke detector’ in section 29(d) of the Fed-

1 eral Fire Prevention and Control Act of 1974 (15
2 U.S.C. 2225(d)); and

3 “(5) the term ‘qualifying smoke alarm’ means
4 a smoke alarm that—

5 “(A) in the case of a dwelling unit built be-
6 fore the date of the enactment of this para-
7 graph and not substantially rehabilitated after
8 the date of this paragraph is—

9 “(i) hardwired; or

10 “(ii) uses 10-year non rechargeable,
11 nonreplaceable primary batteries and—

12 “(I) is sealed;

13 “(II) is tamper resistant;

14 “(III) contains silencing means;

15 and

16 “(IV) provides notification for
17 persons with hearing loss as required
18 by the National Fire Protection Asso-
19 ciation Standard 72 or any successor
20 standard; or

21 “(B) in the case of a dwelling unit built or
22 substantially rehabilitated after the date of the
23 enactment of this paragraph, is hardwired.”.

24 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
25 authorized to be appropriated to carry out the amend-

1 ments made by this section such sums as are necessary
2 for each of fiscal years 2022 through 2026.

3 (h) EFFECTIVE DATE.—The amendments made by
4 subsections (a) through (f) shall take effect on the date
5 that is 2 years after the date of enactment of this Act.

6 (i) NO PREEMPTION.—Nothing in the amendments
7 made by this section shall be construed to preempt or limit
8 the applicability of any State or local law relating to the
9 installation and maintenance of smoke alarms in housing
10 that requires standards that are more stringent than the
11 standards described in the amendments made by this sec-
12 tion.

13 **SEC. 3. FIRE SAFETY EDUCATIONAL PROGRAM.**

14 (a) IN GENERAL.—The Secretary of Housing and
15 Urban Development shall, not later than 1 year after the
16 date of the enactment of this Act, complete a national edu-
17 cational campaign that educates the general public about
18 health and safety requirements in housing and how to
19 properly use safety features in housing including, self-clos-
20 ing doors, smoke alarms, and carbon monoxide detectors.

21 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated to the Secretary of Housing
23 and Urban Development to carry out this subsection,
24 \$2,000,000 for fiscal year 2023.

Amend the title so as to read: “A bill to require qualifying smoke alarms in public and federally assisted housing, and for other purposes.”.

